

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRANDON ALEXANDER FAVOR,

Petitioner,

v.

THE PEOPLE OF THE STATE OF  
CALIFORNIA,

Respondent.

1:17-cv-00781-JLT (HC)

ORDER TRANSFERRING CASE TO THE  
UNITED STATES DISTRICT COURT FOR  
THE CENTRAL DISTRICT OF CALIFORNIA

Petitioner has filed a habeas corpus action pursuant to 28 U.S.C. § 2254 to challenge a conviction from Los Angeles County, which is in the Central District of California. Notably, the federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

Because the conviction occurred in Los Angeles County, which is in the Central District of California, the petition should have been filed there. In the interest of justice, a federal court may transfer a case filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

1           Accordingly, the Court **ORDERS** that this matter is transferred to the United States  
2 District Court for the Central District of California.

3  
4 IT IS SO ORDERED.

5           Dated: **June 19, 2017**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE